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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

A.B.O. Comix, Kenneth Roberts, Zachary
 Greenberg, Ruben Gonzalez-Magallanes,
 Domingo Aguilar, Kevin Prasad, Malti Prasad,
 and Wumi Oladipo,

Plaintiffs,

v.

County of San Mateo and Christina Corpus, in
 her official capacity as Sheriff of San Mateo
 County,

Defendants.

Case No.: 3:23-CV-1865-JSC

The Honorable Jacqueline Scott Corley

**PLAINTIFFS' REQUEST FOR ENTRY
 OF JUDGMENT**

Pursuant to Rule 58(d) of the Federal Rules of Civil Procedure, Plaintiffs request that this Court set out its decision granting Plaintiffs' motion to remand in a separate document pursuant to Rule 58(a).

On July 20, 2023, this Court granted Plaintiffs' motion to remand their case to Superior Court of San Mateo County on the grounds that a federal question no longer existed and that the values of economy, convenience, fairness, and comity warranted discretionary remand of Plaintiffs' state-law claims and Defendants' counterclaims. *See* ECF No. 44. The Order was entered in the civil docket pursuant to Rule 79(a). *Id.* As is customary in this District, the Court did not enter a judgment in a document separate from the one containing the Court's reasoning.

Under Rule 58, most orders are not final until they have "(1) been entered in the civil docket under Rule 79(a) and (2) the earlier of two events has occurred, *i.e.*, it is set out in a separate document or 150 days have run from its entry in the civil docket." *Zaragoza v. Berryhill*, No. 16-CV-00628-BAS-WVG, 2017 WL 4803915, at *1 (S.D. Cal. Oct. 24, 2017) (emphasis added). In *Harmston v. City & County of San Francisco*, the Ninth Circuit appears to have held that the separate document requirement applies to remand orders. 627 F.3d 1273, 1280 (9th Cir. 2010).

Rule 58(d) permits a party to "request that judgment be set out in a separate document as required by Rule 58(a)." Fed. R. Civ. P. 58(d). Out of an abundance of caution, and in order to expedite finality, Plaintiffs respectfully request that this Court enter a judgment, in a separate document, granting Plaintiffs' motion to remand to Superior Court of San Mateo County.

DATED: August 10, 2023

Respectfully submitted,

/s/ Stephanie Krent

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